

**ERIE COUNTY LEGISLATURE
MEETING NO. 26
December 2, 2004**

The Legislature was called to order by CHAIRMAN HOLT.

All Members Present.

A moment of silence was held.

The Pledge of Allegiance was led by MS. CHASE.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 –MS. MARINELLI moved the approval of the Minutes for Meeting No. 22 of 2004.
MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. MARSHALL presented a resolution Congratulating Iroquois Varsity Football Team for Capturing 2004 Far West Regional Championship. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 6 – MS. MARSHALL presented a resolution Congratulating Iroquois Varsity Football Player Andy Wolffe for Setting NY State Playoff Record for Most Touchdowns (7) Scored in Regionals. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

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Item 7 – MS. CUSACK, MINORITY CAUCUS presented a resolution Recognizing Bob Skerker for His Generous Contributions to the Erie County Cultural Advisory Board. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. McCARVILLE, MINORITY CAUCUS presented a resolution Honoring the Life of Army National Guard Spc. David L. Roustum, a Native Resident of Erie County Who was Killed in Iraq. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 9 – MR. KUWIK presented a resolution Celebrating 150 Years of Sisters of St. Joseph. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 10 – MR. SMITH presented a resolution In Memory of Geraldine Ford. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 11 – MR. DEBENEDETTI presented a resolution Honoring Holy Cross Head Start upon Their 35th Anniversary. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

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MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 12 – MR. SMITH presented a resolution Honoring the 2004 AKA Debutantes. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 13 – LEGISLATORS HOLT & SMITH presented a resolution Honoring Jeanette Ogden as the Women Lawyers Association of Western New York Lawyer of the Year. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the resolution to include Et Al Sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved the approval of the above nine resolutions as amended. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 14 –CHAIRMAN HOLT directed that Local Law No. 7 (Print #1) 2003 remain on the table.

GRANTED.

Item 15 – CHAIRMAN HOLT directed that Local Law No. 4 (Print #1) 2004 remain on the table.

GRANTED.

Item 16 – CHAIRMAN HOLT directed that Local Law No. 10 (Print #1) 2004 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

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GRANTED.

Item 17 – CHAIRMAN HOLT directed that Local Law No. 12 (Print #1) 2004 remain on the table.

GRANTED.

Item 18 – CHAIRMAN HOLT directed that Local Law No. 14 (Print #1) 2004 remain on the table.

GRANTED.

Item 19 – CHAIRMAN HOLT directed that Local Law No. 15 (Print #1) 2004 remain on the table.

GRANTED.

Item 20 – CHAIRMAN HOLT directed that Local Law No. 16 (Print #1) 2004 remain on the table.

GRANTED.

Item 21 – CHAIRMAN HOLT directed that Local Law No. 17 (Print #1) 2004 remain on the table.

GRANTED.

COMMITTEE REPORTS

None.

LEGISLATORS RESOLUTIONS

Item 22 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 505

Re Consideration for Public Benefit
 Funding. (Intro. 26-1)

A RESOLUTION SUBMITTED BY LEGISLATORS KUWIK, SMITH,
 WROBLEWSKI, AND RANZENHOFER

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WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No. 3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$47,500 from Fund Center 100, Account 516000 to the 2004 Legislature- Contractual Fund Cost Center 1341010 to set up funds reservations for the following groups:

<u>NAME</u>	<u>AMOUNT</u>	<u>SPONSOR</u>
West Seneca Fire District No. 1	\$1,500	WROBLEWSKI
Junior Achievement of WNY, Inc.	\$500	WROBLEWSKI
Town of Newstead (Senior Center)	\$3,000	RANZENHOFER
Town of Newstead	\$10,000	RANZENHOFER
Town of West Seneca (Police Department D.A.R.E)	\$1,000	WROBLEWSKI
Community Action Organization of Erie County, Inc.	\$24,000	SMITH
Village of Blasdell (Sidewalks)	\$7,500	KUWIK
TOTAL	\$47,500	

And be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Benefit Administrators- Crystal L. Quick and Laurie A. Manzella of the Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek and Melissa O. Heimerl.

Fiscal Impact: Appropriation of 2004 budgeted funds

MS. MARINELLI moved to amend the resolution. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

- **Delete** the title and **replace** with the following:

RE: TRANSFER OF PUBLIC BENEFIT FUNDS

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- **Delete** the Resolution in its entirety and **replace** with the following:

Add the following Co- Sponsors: Marinelli, Dusza, Schroeder, Chase, McCarville and Weinstein

WHEREAS, the Legislature set aside funds in the 2004 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, the organizations cited in this resolution have successfully met the standards and qualifications to receive public benefit funds from the County of Erie and have completed the application process with a contract approved by the County Attorney, and

WHEREAS, the Legislature must now pass a resolution to effect the transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$139,300 from Fund Center 100, Account 516000 to the 2004 Legislature- Contractual Fund Cost Center 1341010 to set up funds reservations for the following groups:

<u>NAME</u>	<u>AMOUNT</u>	<u>SPONSOR</u>
West Seneca Fire District No. 1	\$1,500	WROBLEWSKI
Junior Achievement of WNY, Inc.	\$500	WROBLEWSKI
Town of Newstead (Senior Center)	\$3,000	RANZENHOFER
Town of Newstead	\$10,000	RANZENHOFER
Town of West Seneca (Police Department D.A.R.E)	\$1,000	WROBLEWSKI
Community Action Organization of Erie County, Inc.	\$24,000	SMITH
Village of Blasdell (Sidewalks)	\$7,500	KUWIK
Town of West Seneca (Youth Bureau/ Americorps)	\$12,000	WROBLEWSKI
Lake View Athletics, Inc.	\$2,000	CHASE
Village of Springville	\$10,000	MCCARVILLE
Hamburg Counseling Service, Inc.	\$2,500	CHASE
Town of Amherst	\$10,000	WEINSTEIN
West Falls Fire Company, Inc.	\$3,000	MCCARVILLE
O' Sullivan Irish Dance Parents Organization LTD	\$2,000	SCHROEDER
WNY AFL- CIO Economic Development Group, Inc.	\$28,500	MARINELLI, DUSZA, SCHROEDER, SMITH, and WROBLEWSKI
South Line Volunteer Fire Company, Inc.	\$1,500	DUSZA
Town of Cheektowaga (Town Court)	\$5,000	DUSZA
City of Lackawanna (Police Department)	\$1,500	KUWIK
Town Park Homeowners Association, Inc.	\$2,000	DUSZA
Polish Saturday School	\$2,000	DUSZA and SCHROEDER
Keep Western New York Beautiful, Inc.	\$1,300	WROBLEWSKI and SMITH
City of Lackawanna (Senior Center)	\$1,000	WROBLEWSKI
Bett-Toomey Detachment (Marine Corps League)	\$1,500	KUWIK

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Southline Fire District No. 10	\$1,000	WROBLEWSKI
Clarence Swim Club, Inc.	\$5,000	RANZENHOFER
TOTAL	\$139,300	

And be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Crystal L. Quick- Public Benefit Administrator; and Assistant County Attorneys Susannah Bochenek and Melissa Heimerl.

Fiscal Impact: Appropriation of 2004 budgeted funds

MS. MARINELLI moved the approval of the resolution as amended. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 23 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 506

Re: Consideration for Public Benefit
Funding. (Intro. 26-2)

A RESOLUTION SUBMITTED BY LEGISLATOR WROBLEWSKI

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No. 3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization, and

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature does hereby authorize its Public Benefit Administrator to send an application for Public Benefit Funding to the following organizations:

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<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Town of West Seneca	\$2,500	WROBLEWSKI
TOTAL		

And be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Benefit Administrators Crystal L. Quick and Laurie A. Manzella; and Assistant County Attorneys Susannah Bochenek and Melissa Heimerl.

Fiscal Impact: Appropriation of 2004 budgeted funds

MS. MARINELLI moved to amend the resolution. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

- **DELETE** the resolution in its entirety and **REPLACE** with the following:

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No. 3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization, and

WHEREAS, on September 23, 2004, the Erie County Legislature unanimously approved Intro 20-3 (2004), designating the West Seneca Lions Club and SCOPE to receive an application for Public Benefit Funding

NOW, THEREFORE, BE IT

Resolved the designation for the West Seneca Lions Club and SCOPE as per Intro 20-3 (2004) be reallocated to a new and increased designation per the passage of this resolution, and be it further

RESOLVED, that the Erie County Legislature does hereby authorize its Public Benefit Administrator to send an application for Public Benefit Funding to the following organizations:

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<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Town of West Seneca	\$2,500	WROBLEWSKI
Town of West Seneca Youth Bureau/ Americorps	\$13,500	WROBLEWSKI
West Seneca Girls Softball Association	\$1,000	WROBLEWSKI
TOTAL	\$17,000	

And be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Benefit Administrators Crystal L. Quick and Laurie A. Manzella; and Assistant County Attorneys Susannah Bochenek and Melissa Heimerl.

Fiscal Impact: Appropriation of 2004 budgeted funds

MS. MARINELLI moved the approval of the resolution as amended. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 24 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 507

Re State Medical Relief for Counties.
(Intro. 26-3)

A RESOLUTION SUBMITTED BY
 LEGISLATOR MARINELLI

WHEREAS, the Medicaid program was established in 1965 as a jointly funded cooperative venture between the Federal and State governments to assist States in providing quality health care to an eligible disadvantaged population, and

WHEREAS, a national formula requires the federal government to pay roughly 50% of the costs and the States to bear the remaining 50%, and

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WHEREAS, New York is one of only a handful of States that require county governments to pay for Medicaid costs not covered by the federal government, and of these most states only charge local governments for the administrative costs associated with the program, and

WHEREAS, according to State Senator Dale Volker's October 2004 Medicaid report, New York State requires counties to pay approximately 16% of the total Medicaid program costs, with Erie County's 2003 share of Medicaid program expenditures amounting to 14.5% of the total cost, and

WHEREAS, nevertheless, Erie County's mandated Medicaid costs have increased from \$122 million in 1998 to a budgeted \$175.3 million in the 2004 fiscal year, and

WHEREAS, this problem is not new, as former Erie County Executives including Edward Regan, Edward Rutkowski and Dennis Gorski regularly lamented the Medicaid local cost burden and called for state reform of the program, and

WHEREAS, the financial burden of Medicaid is becoming increasingly problematic for taxpayers in Erie County and across the state, and

WHEREAS, this Honorable Body has repeatedly gone on record throughout 2003 and 2004, in a variety of resolutions, public statements, press conferences and other statements by Legislators from both political parties, as urging systemic reform in the State and County Medicaid program, so as to reduce and ameliorate the growing financial burden on New York State local governments and taxpayers,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature remains persistent in its message that Erie County taxpayers cannot afford the heavy burden of escalating Medicaid costs, and be it further

RESOLVED, that this Honorable Body does further reaffirm its support for programs and initiatives which seek to extend health care services and benefits to the needy and disadvantaged but does oppose efforts on the state level to continue to levy increasingly larger Medicaid costs on local governments and to fail to take aggressively and large-scale reform efforts of the Medicaid system, and be it further

RESOLVED, that this Honorable Body expresses support for reducing the heavy burden on county taxpayers through the State capping the local (County) share of Medicaid costs through appropriate legislation in the State Legislature in such a way that all future increases in the cost of Medicaid shall be borne by the State, and be it further

RESOLVED, that this Honorable Body further calls on the New York State Legislature and Governor George A. Pataki to institute immediate measures to reduce the existing cost of Medicaid borne by county governments across the state, and be it further

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RESOLVED, that this Honorable Body calls on Members of Congress Louise Slaughter and Thomas Reynolds, Congressman-Elect Brian Higgins, and U.S. Senators Hillary Rodham Clinton and Charles Schumer to pursue appropriate legislation to enable New York State to receive a higher percentage reimbursement for Medicaid health care services provided to the disabled, indigent, and those receiving long-term care, to increase the reimbursement from 50% to 57%, and in so doing, to allow New York to receive comparable reimbursements to those provided to Pennsylvania, Ohio, Michigan and Indiana, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George A. Pataki, the Western New York Delegation of State Representatives, Members of Congress Louise Slaughter and Thomas Reynolds, Congressman-Elect Brian Higgins, U.S. Senators Hillary Rodham Clinton and Charles Schumer, Erie County Executive Joel A. Giambra, and the New York State Association of Counties.

Fiscal Impact: Positive for Erie County Taxpayers.

MS. MARINELLI moved to amend the resolution to include ET AL Sponsorship. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to further amend the resolution. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

- **DELETE** the fifth (5th) RESOLVE Clause in its entirety and **REPLACE** with the following:

RESOLVED, that this Honorable Body respectfully calls on the local delegation of the United States Congress to continue in their efforts to enable New York State to receive a higher percentage reimbursement for Medicaid health care services provided to the disabled, indigent, and those receiving long-term care, and be it further

MS. MARINELLI moved the approval of the resolution as amended. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 25 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 508

Re Support of Abercrombie & Fitch
 Settlement of Race Lawsuit.
 (Intro. 26-4)

A RESOLUTION SUBMITTED BY LEGISLATOR SMITH

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WHEREAS, Abercrombie and Fitch has agreed to pay forty (40) million dollars to Black, Hispanic, and Asian employees, as well as job applicants, to settle a class action federal discrimination lawsuit that accused the clothing retailer of promoting whites instead of minorities, and

WHEREAS, the settlement, approved November 16, 2004 by the United States District Court Judge Susan Illson, requires the company to adhere to a consent decree that calls for the implementation of new policies and programs to promote diversity and prevent discrimination in its workforce, and

WHEREAS, the lawsuit originally was filed last June in San Francisco by Hispanic and Asian Groups charging that Abercrombie and Fitch, known for its "classic casual American" clothing styles, hires a disproportionately white sale force, and

WHEREAS, the United States Equal Employment Opportunity Commission (EEOC) joined private plaintiffs in the lawsuit which alleged that Abercrombie and Fitch violated portions of the Civil Rights Act of 1964, and

WHEREAS, the lawsuit specifically accused the company of engaging in recruiting and hiring practices that exclude minorities and adopting a virtually all- white marketing campaign, and

WHEREAS, the consent decree calls for Abercrombie and Fitch to hire a vice president of diversity and hire up to 25 diversity recruiters. The company also promised that its marketing materials would reflect diversity.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature affirms its support for the African-American, Hispanic, and Asian Groups as well as the United States Equal Employment Opportunity Commission whom filled a lawsuit against Abercrombie and Fitch for lack of diversity within the corporation, as well as in their marketing campaign.

Fiscal Impact: None.

MS. MARINELLI moved the approval of the resolution. MR. SMITH seconded.

CARRIED UNANIMOUSLY.

Item 26 – CHAIRMAN HOLT directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 26-5 From LEGISLATOR SMITH Re Support of NYG AG Elliot Spitzer's Campaign for Equality in Competitive Market Insurance Brokerage Throughout the United States.

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Item 27 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 509

Re Consideration for Public Benefit
Funding. (Intro. 26-6)

A RESOLUTION SUBMITTED BY
LEGISLATOR KUWIK

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No. 3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize its Public Benefit Administrator to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Town of Hamburg DARE	\$1,000	KUWIK
American Legion Matthew Glab Post No. 1477	\$2,000	KUWIK
TOTAL	\$3,000	

And be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Benefit Administrators Crystal L. Quick and Laurie A. Manzella; and Assistant County Attorneys Susannah Bochenek and Melissa Heimerl.

Fiscal Impact: Appropriation of 2004 budgeted funds.

MS. MARINELLI moved to amend the resolution. MR. DEBENEDETTI seconded.

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CARRIED UNANIMOUSLY.

- **DELETE** the first two resolved clause in its entirety and replace with the following:

RESOLVED, that the Erie County Legislature does hereby authorize its Public Benefit Administrator to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Town of Hamburg DARE	\$1,000	KUWIK
American Legion Matthew Glab Post No. 1477	\$2,000	KUWIK
Lackawanna Senior Center	\$20,000	KUWIK
TOTAL	\$ 23,000	

and be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency, and be it further

MS. MARINELLI moved the approval of the resolution as amended. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 28 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 510

Re Consideration for Public Benefit
Funding. (Intro. 26-7)

A RESOLUTION SUBMITTED BY LEGISLATOR CHASE

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize an application to be sent out for Public Benefit Funding to the following organizations:

NAME OF ORGANIZATION	RECOMMENDED AMOUNT	SPONSOR
North Collins Legion	\$5,000	CHASE
Farnham Volunteer Fire Department	\$2,000	CHASE
North Boston Volunteer Fire Company	\$2,000	CHASE
Hunter's Hope Foundation	\$2,000	CHASE
Langford-New Oregon Volunteer Fire Co.	\$1,000	CHASE
Boston Volunteer Fire Company	\$2,000	CHASE
North Collins Emergency Services	\$1,000	CHASE
North Collins Volunteer Fire Company	\$1,000	CHASE
TOTAL	\$16,000	

And be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Administrator of the Erie County Legislature; Department of Environment & Planning Commissioner Larry Rubin and David Meltzer; Laurie A. Manzella & Crystal Quick, Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek & Melissa O. Heimerl.

MR. RANZENHOFER moved to amend the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

- **DELETE** The Resolution in its Entirety and **REPLACE** with the following:

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize an application to be sent out for Public Benefit Funding to the following organizations:

NAME OF ORGANIZATION	RECOMMENDED AMOUNT	SPONSOR
North Collins Legion	\$5,000	CHASE
Farnham Volunteer Fire Department	\$2,000	CHASE
North Boston Volunteer Fire Company	\$2,000	CHASE
Hunter's Hope Foundation	\$2,000	CHASE
Langford-New Oregon Volunteer Fire Co.	\$1,000	CHASE
Boston Volunteer Fire Company	\$2,000	CHASE
North Collins Emergency Services	\$1,000	CHASE
North Collins Volunteer Fire Company	\$1,000	CHASE
Corp. David Finger Tri-Towns Memorial VFW Post #2556	\$1,000	CHASE
Boston AM-VETS Post #219	\$1,000	CHASE
TOTAL		\$18,000

And be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,200 from (DAC 1109223108050109) Cost Center 1401010, General Ledger Account 502100 to the Erie County Department of Environment & Planning, to the SIRG-11 Grant (162 SIRG-110306) in Cost Center 1620040, Account 505800, towards Radon Detection Kits for school education program, and be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Administrator of the Erie County Legislature; Department of Environment & Planning Commissioner Larry Rubin and David Meltzer; Laurie A. Manzella & Crystal Quick, Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek & Melissa O. Heimerl.

MR. RANZENHOFER moved the approval of the resolution as amended. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 29 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 511

Re Consideration for 2003 & 2004
Public Benefit Funding. (Intro. 26-8)

A RESOLUTION SUBMITTED BY
LEGISLATOR CUSACK

WHEREAS, the Legislature set aside Public Benefit Funds in the 2003 & 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

WHEREAS, on May 8, 2003, the Erie County Legislature unanimously approved Intro. 9-15, as amended, designating the Brighton Volunteer Fire Co. and the Brighton Fire Co. to receive applications for Public Benefit Funding, and,

NOW, THEREFORE, BE IT

RESOLVED, the individual designations for the Brighton Volunteer Fire Co. and the Brighton Fire Co., per Intro. 9-15 (2003) be reallocated to a new and proper designation per the passage of this resolution, and be it further

RESOLVED, that the Erie County Legislature does hereby authorize an application to be sent out for 2003 Public Benefit Funding to the following organization:

NAME OF ORGANIZATION	RECOMMENDED AMOUNT	SPONSOR
Sweet Home Jr. Panther's (Parkview Cadets)	\$4,000	CUSACK

And be it further

RESOLVED, that the Erie County Legislature does hereby authorize an application to be sent out for 2004 Public Benefit Funding to the following organization:

NAME OF ORGANIZATION	RECOMMENDED AMOUNT	SPONSOR

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University At Buffalo Foundation	\$1,517	CUSACK
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And be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Administrator of the Erie County Legislature; Laurie A. Manzella & Crystal Quick, Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek & Melissa O. Heimerl.

Fiscal Impact: None

MR. RANZENHOFER moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 30 – MS. MARINELLI moved to discharge the COMMUNITY ENRICHMENT COMMITTEE from further consideration of Comm. 21E-25 (2004). MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 512

Re: Lease Agreement for Bud Bakewell
 “Riverside” Ice Rink.

WHEREAS, Ice rink management of City of Buffalo ice rinks is the responsibility of Erie County as a result of the Intermunicipal Agreement between the County of Erie and the City of Buffalo; and

WHEREAS, there are experienced community organizations who will operate and manage this facility in furtherance of the best interest of the citizens of Erie County; and

WHEREAS, this lease agreement will deliver the best quality service at the lowest possible cost; and

WHEREAS, it is estimated that the County of Erie will also benefit by operational savings;

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Executive is hereby authorized, to execute a lease agreement with Hasek's Heroes for the operation of the Bud Bakewell "Riverside" Ice Rink for an initial term of five (5) years, subject to a single five (5) year renewal term, and be it further

RESOLVED, that the terms and conditions of the lease agreement be subject to approval as to form by the Erie County Attorney's Office and the operator to provide the Erie County Attorney's Office with proof of incorporation in the State of New York and a certificate of good standing within thirty (30) days of the receipt of the notice of award of the contract and failure to do so shall result in rescission of the award of the contract, and be it further

RESOLVED, that the Director of Budget, Management & Finance is hereby authorized to deposit the revenue generated as a result of this lease agreement into an account to be established in the Department of Parks, Recreation & Forestry to be utilized for additional ice rink-related needs, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the County Comptroller, the Director of Budget, Management & Finance, the Commissioner of Parks, Recreation & Forestry, the Commissioner of the Department of Environment & Planning, the County Attorney, and Hasek's Heroes.

MS. MARINELLI moved the approval of the resolution. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 31 – MS. MARINELLI moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 23E-12 (2004). MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 513

Re: Authorization for Empire Zone
Sales Tax Exemptions.

RESOLUTION of the

Legislature of the County of Erie, providing exemptions from sales and compensating use taxes for receipts from sales of, and consideration given or contracted to be given for, or for the use of, property and services exempt from State sales and compensating use taxes pursuant to subdivision (z) of section 1115 of the New York Tax Law, pursuant to the authority of Article 29 of the Tax Law of the State of New York.

Be it enacted by the Legislature of the County of Erie, as follows:

SECTION 1. Subdivision (h) of section six of the Erie County Sales and Use Tax Resolution being a resolution adopted by the Board of Supervisors of the County of Erie being Item 8 of Meeting

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Number 31, held July 27, 1965, Supervisors Proceedings, Page 666, as amended, is amended to read as follows:

- (h) For the period beginning March 1, 2001, and ending February 28, 2006, receipts from sales of and consideration given or contracted to be given for, or for the use of, property and services exempt from state sales and compensating use taxes pursuant to subdivision (z) of section 1115 of the New York Tax Law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction.

SECTION 2. This resolution shall take effect March 1, 2005, and shall apply to sales made, services rendered and uses occurring during the period commencing March 1, 2005, and ending February 28, 2006, in accordance with the applicable transitional provisions in sections 1106, 1216 and 1217 of the New York Tax Law.

MS. MARINELLI moved the approval of the resolution. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 32 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. SWANICK seconded.

GRANTED.

CHAIRMAN HOLT directed that the following resolution be received and filed.

GRANTED.

Comm. 26D-7 From CLERK OF THE LEGISLATURE Re: Public Hearing No. 1 Public Testimony.

Item 33 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. SWANICK seconded.

GRANTED.

CHAIRMAN HOLT directed that the following resolution be received and filed.

GRANTED.

Comm. 26D-8 From CLERK OF THE LEGISLATURE Re: Public Hearing No. 2 Public Testimony.

Item 34 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. SWANICK seconded.

GRANTED.

CHAIRMAN HOLT directed that the following resolution be received and filed.

GRANTED.

Comm. 26D-9 From CLERK OF THE LEGISLATURE Re: Public Hearing No. 3 Public Testimony.

Item 35 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. SWANICK seconded.

GRANTED.

CHAIRMAN HOLT directed that the following resolution be received and filed.

GRANTED.

Comm. 26D-10 From CLERK OF THE LEGISLATURE Re: Public Hearing No. 4 Public Testimony.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR MARSHALL

Item 36 – (Comm. 26E-1) Lease Agreement for Legislative Office Space.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 37 – (Comm. 26E-2) Letter to Legislators & County Executive Re: 2005 Budget Concerns.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 38 – (Comm. 26E-3) Notice that County Executive Signed His Approval on Intro. 22-7 (2004).

Received and filed.

Item 39 – (Comm. 26E-4) Letter to Legislature Re: Memorializing Resolution for State Authorization for ECIS Imposition of an Additional 1% Sales Tax & Inclusion in 2005.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 40 – (Comm. 26E-5) ECSD No. 5 -Fox & Company -Buffalo – Amendment No. 2.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 41 – (Comm. 26E-6) Possible Additional Revenues for 2005 Budget.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 42 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded. LEGISLATOR WEINSTEIN in the negative.

CARRIED (14 – 1).

RESOLUTION NO. 514

RE: Private Sale of 2004 County Tax
Certificates. (Comm. 26E-7)

WHEREAS, by Resolutions adopted on October 2, 2003 [Comm. 16E-5] and again on December 11, 2003 [Comm. 24E-12], the Erie County Legislature authorized the Commissioner of Finance to sell, transfer and convey to the Erie Tax Certificate Corporation [“ETCC”], a local development corporation [“LDC”] incorporated pursuant to Section 1411 of the Not-For-Profit Corporation Law, County-owned tax certificates representing delinquent real property taxes from 2003 and prior years; and

WHEREAS, the sales to the ETCC of County-owned tax certificates representing delinquent real property taxes from 2002 and prior years and representing delinquent real property taxes from 2003 successfully closed on November 6, 2003 and December 30, 2003, respectively; and

WHEREAS, on November 26, 2004, the County of Erie acquired new tax certificates, namely, those representing delinquent real property taxes from 2004, the current tax year; and

WHEREAS, in order to lessen the burdens of County government and acting in the public interest, the Erie County Legislature has again determined that it should authorize the sale of County-owned tax certificates to the ETCC, this time representing delinquencies from the 2004 tax year.

NOW, THEREFORE, be it

RESOLVED, that the Erie County Legislature hereby authorizes the Commissioner of Finance to sell, transfer and convey to the ETCC whatever County-owned tax certificates from 2004 may be jointly selected by the ETCC and the Commissioner of Finance, provided that, except as set forth below relative to tax certificates affecting properties whose owner is bankrupt or which have

identified environmental issues, the consideration to be paid for such sale shall include an initial cash payment equal to at least ____% of the redemption value of all tax certificates sold (less amounts sufficient to fund a working capital reserve fund and to pay the reasonable legal and other costs of the County to complete said sale) together with the beneficial interest in a Delaware Statutory Trust to be formed by the ETCC for the purpose of receiving the net proceeds of collection on the tax certificates sold (after payment of principal and interest on a note to be issued by the ETCC LDC, to finance the initial cash payment, payments into a working capital reserve fund, servicing indemnification obligations, if any, and such miscellaneous costs as may be agreed upon); and be it further

RESOLVED, that the consideration to be paid to the County by the ETCC for tax certificates affecting properties whose owner is bankrupt or which have identified environmental issues shall not include any initial cash payment but shall consist entirely of the County's beneficial interest in the Delaware Statutory Trust to be formed by the ETCC for the purpose of receiving net proceeds of collection on the tax certificates sold (after payment of principal and interest on a note issued by the ETCC to finance the initial cash payment, payments into a working capital reserve fund, servicing indemnification obligations, if any, and such miscellaneous costs as may be agreed upon); and be it further

RESOLVED, that the Erie County Legislature hereby empowers and authorizes the County Executive, the Budget Director and the Commissioner of Finance (collectively the "Authorized Officers"), and each of them, to execute and deliver the instruments necessary to transfer, assign and convey all of Erie County's right, title and interest in any tax certificates sold, together with any other agreements, documents and instruments as any of the Authorized Officers may deem necessary or advisable to carry out the purpose and intent of this resolution and to mail or otherwise forward any notices or other communications deemed necessary or desirable by any Authorized Officers to the owners of the real properties affected by the tax certificates being sold or to any other persons in connection with the sale thereof; and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Executive, the Budget Director, the County Attorney, the County Comptroller and the Deputy Commissioner of Finance.

MS. MARINELLI moved to amend the resolution. MR. RANZENHOFER seconded. LEGISLATOR WEINSTEIN in the negative.

CARRIED (14 – 1).

- **DELETE** the resolution in entirety and **REPLACE** with the following:

WHEREAS, by Resolutions adopted on October 2, 2003 [Comm. 16E-5] and again on December 11, 2003 [Comm. 24E-12], the Erie County Legislature authorized the Commissioner of Finance to sell, transfer and convey to the Erie Tax Certificate Corporation ["ETCC"], a local development corporation ["LDC"] incorporated pursuant to Section 1411 of the Not-For-Profit Corporation Law, County-owned tax certificates representing delinquent real property taxes from 2003 and prior years; and

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WHEREAS, the sales to the ETCC of County-owned tax certificates representing delinquent real property taxes from 2002 and prior years and representing delinquent real property taxes from 2003 successfully closed on November 6, 2003 and December 30, 2003, respectively; and

WHEREAS, on November 26, 2004, the County of Erie acquired new tax certificates, namely, those representing delinquent real property taxes from 2004, the current tax year; and

WHEREAS, in order to lessen the burdens of County government and acting in the public interest, the Erie County Legislature has again determined that it should authorize the sale of County-owned tax certificates to the ETCC, this time representing delinquencies from the 2004 tax year.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the Commissioner of Finance to sell, transfer and convey to the ETCC whatever County-owned tax certificates from 2004 may be jointly selected by the ETCC and the Commissioner of Finance, provided that, except as set forth below relative to tax certificates affecting properties whose owner is bankrupt or which have identified environmental issues, the consideration to be paid for such sale shall include an initial cash payment equal to at least 70% of the redemption value of all tax certificates sold (less amounts sufficient to fund a working capital reserve fund and to pay the reasonable legal and other costs of the County to complete said sale) together with the beneficial interest in a Delaware Statutory Trust to be formed by the ETCC for the purpose of receiving the net proceeds of collection on the tax certificates sold (after payment of principal and interest on a note to be issued by the ETCC LDC, to finance the initial cash payment, payments into a working capital reserve fund, servicing indemnification obligations, if any, and such miscellaneous costs as may be agreed upon); and be it further

RESOLVED, that the consideration to be paid to the County by the ETCC for tax certificates affecting properties whose owner is bankrupt or which have identified environmental issues shall not include any initial cash payment but shall consist entirely of the County's beneficial interest in the Delaware Statutory Trust to be formed by the ETCC for the purpose of receiving net proceeds of collection on the tax certificates sold (after payment of principal and interest on a note issued by the ETCC to finance the initial cash payment, payments into a working capital reserve fund, servicing indemnification obligations, if any, and such miscellaneous costs as may be agreed upon); and be it further

RESOLVED, that the Erie County Legislature hereby empowers and authorizes the County Executive, the Budget Director and the Commissioner of Finance (collectively the "Authorized Officers"), and each of them, to execute and deliver the instruments necessary to transfer, assign and convey all of Erie County's right, title and interest in any tax certificates sold, together with any other agreements, documents and instruments as any of the Authorized Officers may deem necessary or advisable to carry out the purpose and intent of this resolution and to mail or otherwise forward any notices or other communications deemed necessary or desirable by any Authorized Officers to the owners of the real properties affected by the tax certificates being sold or to any other persons in connection with the sale thereof; and be it further

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RESOLVED, that certified copies of this Resolution be forwarded to the County Executive, the Budget Director, the County Attorney, the County Comptroller and the Deputy Commissioner of Finance.

MS. MARINELLI moved the approval of the resolution as amended. MR. RANZENHOFER seconded. LEGISLATOR WEINSTEIN in the negative.

CARRIED (14 – 1).

Item 43 – (Comm. 26E-8) Levy & Apportion of the EC Real Property Tax – 2005.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 44 – (Comm. 26E-9) Veto Message – Local Law Intro. No. 13-2004.

MS. MARINELLI moved to override COUNTY EXECUTIVE'S VETO. MR. SMITH seconded. LEGISLATORS CUSACK, RANZENHOFER & WEINSTEIN in the negative.

CHAIRMAN HOLT directed that a roll call vote be taken.

AYES: DEBENEDETTI, DUSZA, HOLT, KUWIK, MARINELLI, SCHROEDER, SMITH & WROBLEWSKI. NOES: CHASE, CUSACK, MARSHALL, McCARVILLE, RANZENHOFER, SWANICK & WEINSTEIN (AYES 8 NOES 7).

FAILED. (DID NOT MEET REQUIRED 10 VOTE THRESHOLD.)

RECEIVED, FILED & PRINTED.

November 30, 2004

VIA HAND DELIVERY

Kevin M. Kelley, Clerk
 Erie County Legislature
 25 Delaware Avenue, 7th Floor
 Buffalo, New York 14202

RE: Local Law Intro. No. 13-2004

Dear Mr. Kelley:

Pursuant to section 205 of the Erie County Charter, I am writing you to indicate my disapproval of the above-referenced Local Law Intro., a copy of which is attached.

My first objection stems from the fact that the sales tax revenue figure and other revenue that must be set forth in the proposed budget cannot be forecast properly until approximately three-

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fourths of the year has passed. Accordingly, given this forecasting issue, it would be impossible to meet the time frame as set forth in this Local Law Intro.

Objection number two relates to the strictures imposed on us by the State's own budget processes. At present, the State routinely passes its budget beyond its April deadline (a deadline that may soon be officially extended to May). Our County proposed budget cannot be refined until we have a clear idea of the monies coming to us from the State. Given these facts, this Local Law Intro., which sets earlier deadlines for the County proposed budget, cannot stand, for it would institute an unworkably short period during which State information could be analyzed and digested.

My final objection is managerial. The County engages and contracts with consultants and advisors throughout the year. Their terms of engagement are committed after the passage of an annual County budget and usually their work is completed within the same fiscal year. It would create undue hardship and reduce the timeframe for these

A Public Hearing was held on the foregoing Local Law Intro. No. 13-2004 on Thursday, November 18, 2004, due notice thereof having been published in the office newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this 30 day of NOVEMBER 2004.

JOEL A. GIAMBRA

Item 45 – (Comm. 26E-10) DPW – Acceptance of FEMA Funds & Awards of Contracts and/or use of In-House Resources for Emergency Work/Work Completed.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 46 – (Comm. 26E-11) DPW – Supplemental Agreement with NYSDOT – Glen Avenue Bridges 702 & 704 Over Ellicott Creek & Diversion Channel, Village of Williamsville.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 47 – (Comm. 26E-12) ECSD No. 1 – Eminent Domain Proceeding – Mineral Springs Road Flow Chamber & Control Building Installation Contract.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 48 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 515

Re: Town & Special District Budgets.
 (Comm. 26E-13)

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RESOLVED, that the following abstracts of the adopted Town Budgets and Special District Budgets for the year 2005, as certified and presented to this Legislature by the appropriate Town Officers; be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED, that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and Districts and liable therefore, and be it further

RESOLVED, that the Director of Budget, Management and Finance and/or successor to the Commissioner of Finance is hereby directed to spread said taxes to be so raised for such budgets against the taxable property liable therefore as provided by Article VI of the Erie County Tax Act, as amended, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Director of Budget, Management and Finance, the County Comptroller, the County Attorney and the Finance Department.

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

ALDEN FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$1,286,213.00	\$719,200	\$567,013.00
GENERAL FUND-TOWN ONLY	\$174,626.00	\$174,626	\$0
HIGHWAY TOWN ONLY	\$621,800.00	\$551,800	\$70,000.00
TOTAL TOWN & HIGHWAY	\$2,082,639.00	\$1,445,626	\$637,013.00
SEWER DISTRICT #1	\$30,071.00	\$300	\$29,771.00
SEWER DISTRICT #2	\$40,927.00	\$3,800	\$37,127.00
WATER DISTRICTS	\$348,820.00	\$3,400	\$345,420.00
FIRE PROTECTION DST	\$583,276.00	\$5,600	\$577,676.00
LIGHT DISTRICTS	\$89,000.00	\$10,500	\$78,500.00
DELINQUENT WATER	\$108.12	\$0	\$108.12
UNPAID REFUSE	\$188.00	\$0	\$188.00
WATER #5 OUT OF DIST	\$3,902.57	\$0	\$3,902.57
WATER #9 OUT OF DIST	\$209.30	\$0	\$209.30
OMITTED TAX	\$4,490.63	\$0	\$4,490.63
GARBAGE DISTRICT	\$386,100.00	\$3,500	\$382,600.00
TOTAL SPECIAL DISTRICT	\$1,487,092.62	\$27,100	\$1,459,992.62
GRAND TOTALS	\$3,569,731.62	\$1,472,726	\$2,097,005.62

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RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

AMHERST FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWN ONLY	\$44,414,801.00	\$24,755,768	\$19,659,033.00
GENERAL FUND VILLAGE ONLY	\$2,045,261.00	\$481,709	\$1,563,552.00
GENERAL FUND-OUTSIDE VILLAGE	\$4,019,208.00	\$1,451,500	\$2,567,708.00
HIGHWAY FUNDS TOWN ONLY	\$8,407,797.00	\$1,113,000	\$7,294,797.00
CENTRAL ALARM	\$1,129,960.00	\$290,489	\$839,471.00
COMMUNITY DEVELOPMENT	\$752,000.00	\$752,000	\$0
TOTAL TOWN & HIGHWAY	\$60,769,027.00	\$28,844,466	\$31,924,561.00
FIRE DISTRICTS	\$2,184,194.00	\$0	\$2,184,194.00
SANITARY SEWERS DISTRICT	\$18,275,288.00	\$4,290,283	\$13,985,005.00
FIRE PROTECTION DIST.	\$4,425,006.00	\$47,925	\$4,377,081.00
STORM SEWER DISTRICTS	\$5,189,389.00	\$335,500	\$4,853,889.00
WATER DISTRICTS	\$739,937.00	\$13,531	\$726,406.00
TOTAL SPECIAL DISTRICTS	\$30,813,814.00	\$4,687,239	\$26,126,575.00
SPECIAL ASMT SANITARY SEWER	\$5,080.00	\$0	\$5,080.00
SPECIAL ASMT STORM SEWER	\$5,798.00	\$0	\$5,798.00
SPECIAL ASMT WATER DISTRICT	\$3,108.00	\$0	\$3,108.00
H.O.M.E.	\$1,241,708.00	\$1,241,708	\$0.00
SPECIAL ASMT LIGHT DISTRICT	\$3,329,107.00	\$160,000	\$3,169,107.00
SIDEWALKS	\$22,704.00	\$0	\$22,704.00
SPECIAL ASMT GARBAGE	\$6,782,807.00	\$646,856	\$6,135,951.00
DELINQUENT WATER - ECWA	\$10,904.00	\$0	\$10,904.00
DELINQUENT SEWER RENTAL	\$0	\$0	\$0.00
DELINQUENT SEWER - VILLAGE	\$1,194.00	\$0	\$1,194.00
PRETREATMENT SURCHARGE	\$222,807.00	\$0	\$222,807.00
DELINQUENT WATER - VILLAGE	\$0	\$0	\$0
CODE VIOLATIONS	\$5,484.00	\$0	\$5,484.00
DEMOLITION CHARGE	\$0	\$0	\$0
OMITTED TAX	\$3,751.57	\$0	\$3,751.57
TOTAL SPECIAL ASSESS'MT	\$11,634,452.57	\$2,048,564	\$9,585,888.57
GRAND TOTALS	\$103,217,293.57	\$35,580,269	\$67,637,024.57

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

AURORA FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWDE	\$3,008,605.00	\$1,851,456	\$1,157,149.00
GENERAL FUND-TOWN	\$808,357.00	\$622,543	\$185,814.00
HIGHWAY - TOWN	\$976,756.00	\$635,045	\$341,711.00
RISK RETENTION	\$0	\$0	\$0
SPEC REV FUND CEMTY	\$5,500.00	\$5,500	\$0
TOTAL TOWN & HWY	\$4,799,218.00	\$3,114,544	\$1,684,674.00
RUBBISH RES & REC	\$371,827.00	\$63,000	\$308,827.00
WATER DISTRICTS	\$1,336,216.00	\$327,875	\$1,008,341.00
FIRE PROTECTION	\$181,007.00	\$19,123	\$161,884.00
RUBBISH COLLECTION	\$118,800.00	\$97,500	\$21,300.00
LIGHTING DISTRICTS	\$16,500.00	\$600	\$15,900.00
SEWER DISTRICTS	\$214,082.00	\$182,914	\$31,168.00
AURORA-COLDEN FIRE	\$258,616.64	\$0	\$258,616.64
AURORA-WALES FIRE	\$120,917.61	\$0	\$120,917.61
DELINQUENT REFUSE	\$116.76	\$0	\$116.76
DELINQUENT WATER	\$5,253.04	\$0	\$5,253.04
TOTAL SPECIAL DST	\$2,623,336.05	\$691,012	\$1,932,324.05
GRAND TOTALS	\$7,422,554.05	\$3,805,556	\$3,616,998.05

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BOSTON FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$1,487,903.00	\$1,307,700	\$180,203.00
HIGHWAY FUNDS	\$1,101,196.00	\$448,300	\$652,896.00
TOTAL TOWN & HIGHWAY	\$2,589,099.00	\$1,756,000	\$833,099.00
FIRE PROTECTION	\$670,000.00	\$10,000	\$660,000.00
AMBULANCE	\$92,538.00	\$10,000	\$82,538.00
REFUSE & GARBAGE	\$370,000.00	\$20,000	\$350,000.00
SEWER DISTRICT	\$0	\$0	\$0
WATER DISTRICTS	\$338,151.00	\$20,000	\$318,151.00
IN LIEU OF TOWN TAX	\$6,000.00	\$0	\$6,000.00
LIGHTING DISTRICTS	\$20,000.00	\$0	\$20,000.00
UNPAID EC WATER	\$0	\$0	\$0
UNPAID WATER	\$561.55	\$0	\$561.55
UNPAID O PK WATER	\$146.25	\$0	\$146.25
TOTAL SPECIAL DISTRICT	\$1,497,396.80	\$60,000	\$1,437,396.80
GRAND TOTALS	\$4,086,495.80	\$1,816,000	\$2,270,495.80

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ERIE COUNTY LEGISLATURE

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BRANT FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$694,264.00	\$261,264	\$433,000.00
GENERAL FUND-TOWN ONLY	\$140,084.00	\$140,084	\$0.00
HIGHWAY TOWNWIDE	\$185,500.00	\$106,000	\$79,500.00
HIGHWAY - TOWN ONLY	\$118,100	\$118,100	\$0.00
CAPITAL PROJECTS	\$0	\$0	\$0
TOTAL TOWN & HIGHWAY	\$1,137,948.00	\$625,448	\$512,500.00
FIRE PROTECTION DIST.	\$165,948.00	\$5,198	\$160,750.00
LIGHT DISTRICTS	\$26,260.00	\$8,260	\$18,000.00
LOTUS BAY SEWER	\$7,458.00	\$7,458	\$ 0.00
WATER DIST #1	\$27,113.00	\$6,113	\$21,000.00
OMITTED TAX	\$4,490.78	\$0	\$4,490.78
O.TAX - SPEC FRAN	\$0	\$0	\$0
BRANT-FARNHAM SWR	\$17,833.00	\$17,833	\$ 0.00
TOTAL SPECIAL DISTRICT	\$249,102.78	\$44,862	\$204,240.78
GRAND TOTALS	\$1,387,050.78	\$670,310	\$716,740.78

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CHEEKTOWAGA FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$38,600,006.00	\$9,731,964.00	\$28,868,042.00
GENERAL FUND-TOWN ONLY	\$1,157,861.00	\$1,157,861.00	\$0.00
RISK RETENSION FUND	\$2,157,000.00	\$2,157,000.00	\$0.00
GEN FUND SPEC ASSMNT	\$79,326.00	\$0	\$79,326.00
HIGHWAY FUNDS	\$8,487,895.00	\$5,886,639.00	\$2,601,256.00
DEBT SERVICE	\$5,867,554.00	\$5,867,554.00	\$0.00
TOTAL TOWN & HIGHWAY	\$56,349,642.00	\$24,801,018.00	\$31,548,624.00
CONSOLIDATED GARBAGE	\$8,670,160.00	\$756,000.00	\$7,914,160.00
GENERAL LIGHT	\$2,674,132.00	\$300,000.00	\$2,374,132.00
WATERLINE DISTRICT	\$2,340.32	\$2,340.32	\$0
LEGAL SANITARY SEWER	\$0	\$0	\$0
STORM SEWER	\$539,224.00	\$24,431.00	\$514,793.00
SANITARY SEWER	\$10,472,468.00	\$1,203,450.00	\$9,269,018.00
HYDRANT DISTRICT	\$478,488.00	\$30,500.00	\$447,988.00
FIRE DISTRICTS	\$5,795,370.55	\$51,800.00	\$5,743,570.55
SEWER - LATERAL	\$467.00	\$0	\$467.00
OMITTED TAX	\$0	\$0	\$0
SIDEWALKS	\$6,579.56	\$0	\$6,579.56
DELINQUENT WATER	\$0	\$0	\$0
DELINQUENT REFUSE	\$0	\$0	\$0
CLEAN UP DEBRIS	\$68,860.00	\$0	\$68,860.00
TOTAL SPEC ASSESSMNT	\$28,708,089.43	\$2,368,521.32	\$26,339,568.11
GRAND TOTALS	\$85,057,731.43	\$27,169,539.32	\$57,888,192.11

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COLDEN FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$723,544.00	\$723,544	\$0.00
HIGHWAY FUNDS	\$552,542.00	\$95,053	\$457,489.00
TOTAL TOWN & HIGHWAY	\$1,276,086.00	\$818,597	\$457,489.00
AURORA-COLDEN FIRE	\$34,267.36	\$0	34,267.36
COLDEN FIRE DISTRICT	\$335,000.00	\$0	\$335,000.00
REFUSE DISTRICT	\$165,685.00	\$6,850	\$158,835.00
COMMUNITY DEV FUND	\$10,000	\$10,000	\$0.00
LIGHTING DISTRICTS	\$26,000.00	\$5,463	\$20,537.00
TOTAL SPECIAL DISTRICT	\$570,952.36	\$22,313	\$548,639.36
GRAND TOTALS	\$1,847,038.36	\$840,910	\$1,006,128.36

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COLLINS FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$662,223.00	\$353,309.00	\$308,914.00
GENERAL FUND-TOWN ONLY	\$323,614.00	\$323,614.00	\$0.00
HIGHWAY TOWNWIDE	\$0	\$0	\$0
HIGHWAY - TOWN ONLY	\$805,445.93	\$691,148.00	\$114,297.93
TOTAL TOWN & HIGHWAY	\$1,791,282.93	\$1,368,071.00	\$423,211.93
FIRE PROT DIST	\$46,642.62	\$1,150.00	\$45,492.62
COLLINS FIRE DIST	\$131,314.87	\$0	\$131,314.87
LIGHT DISTRICTS	\$12,105.00	\$4,150.00	\$7,955.00
REFUSE & GARBAGE	\$57,133.00	\$44,800.00	\$12,333.00
LIBRARY FUND	\$56,175.00	\$268.00	\$55,907.00
WATER DISTRICT	\$538,554.00	\$464,506.00	\$74,048.00
DELINQUENT WATER	\$13,536.95	\$0	\$13,536.95
CLEAN-UP & REMVL	\$0	\$0	\$0
OMITTED TAXES	\$1,789.33	\$0	\$1,789.33
TOTAL SPECIAL DISTRICT	\$857,250.77	\$514,874.00	\$342,376.77
GRAND TOTALS	\$2,648,533.70	\$1,882,945.00	\$765,588.70

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CONCORD FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$1,012,380.80	\$521,907	\$490,473.80
GEN FUND-TOWN ONLY	\$645,216.00	\$645,216	\$0.00
HIGHWAY FUND - TOWN ONLY	\$946,284.00	\$813,284	\$133,000.00
HIGHWAY FUNDS TOWNWIDE - BRIDGES	\$20,000.00	\$10,000	\$10,000.00
JOINT PROJECTS	\$128,925.00	\$128,925	\$0.00
COMMUNITY DEVELOP	\$30,000.00	\$30,000	\$0.00
TOTAL TOWN & HIGHWAY	\$2,782,805.80	\$2,149,332	\$633,473.80
LIBRARY	\$4,844.00	\$0	\$4,844.00
FIRE PROTECTION DIST	\$369,000.00	\$0	\$369,000.00
LIGHTING DISTRICTS	\$35,000.00	\$0	\$35,000.00
SEWER DISTRICT	\$85,251.00	\$0	\$85,251.00
WATER DISTRICTS	\$18,318.00	\$4,650	\$13,668.00
KISS BRDG WATER DIST	\$5,200.00	\$2,000	\$3,200.00
KISS BRDG SEWER DIST	\$20,600.00	\$0	\$20,600.00
OMITTED TAX	\$848.40	\$0	\$848.40
TOTAL SPECIAL DISTRICT	\$539,061.40	\$6,650	\$532,411.40
GRAND TOTALS	\$3,321,867.20	\$2,155,982	\$1,165,885.20

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EDEN FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$2,030,675.00	\$1,369,680.00	\$660,995.00
HIGHWAY FUNDS	\$1,205,691.00	\$300,500.00	\$905,191.00
TOTAL TOWN & HIGHWAY	\$3,236,366.00	\$1,670,180.00	\$1,566,186.00
WATER DISTRICT	\$199,480.10	\$9,474.98	\$190,005.12
FIRE PROTECTION DIST.	\$256,026.00	\$0	\$256,026.00
LIGHTING DISTRICTS	\$54,006.00	\$6,006.00	\$48,000.00
REFUSE & GARBAGE	\$388,000.00	\$49,785.00	\$338,215.00
HAMBURG WATER IMPV	\$2,908.27	\$0	\$2,908.27
DELINQUENT WATER	\$0	\$0	\$0
OMITTED TAX	\$406.96	\$0	\$406.96
DELINQ EVANS WTR	\$1,348.44	\$0	\$1,348.44
DRAINAGE	\$4,000.00	\$0	\$4,000.00
DELINQUENT WTR ECWA	\$550.84	\$0	\$550.84
DELINQUENT GARBAGE	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$906,726.61	\$65,265.98	\$841,460.63
GRAND TOTALS	\$4,143,092.61	\$1,735,445.98	\$2,407,646.63

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ELMA FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$2,208,745.00	\$2,208,745	\$0
HIGHWAY FUNDS	\$868,685.00	\$643,726	\$224,959.00
TOTAL TOWN & HIGHWAY	\$3,077,430.00	\$2,852,471	\$224,959.00
WATER DISTRICTS O&M	\$1,710,602.00	\$1,647,475	\$63,127.00
WATER DIST. CAP IMP.	\$0	\$0	\$0
FIRE PROTECTION DIST.	\$628,661.00	\$22,615	\$606,046.00
DRAINAGE DIST.	\$600.00	\$60	\$540.00
LIGHTING DISTRICTS	\$47,350.00	\$120	\$47,230.00
SEWER DISTRICTS	\$183,049.00	\$2,800	\$180,249.00
ENGINEERING SERVICES	\$0	\$0	\$0
SPRINGBROOK AWARD	\$40,000.00	\$0	\$40,000.00
TFPD SERV AWARD	\$85,000.00	\$0	\$85,000.00
UNPAID WATER	\$0	\$0	\$0
DELINQUENT WATER	\$13,753.49	\$0	\$13,753.49
TRUST & AGENCY (SPRINGBROOK FIRE)	\$295,190.00	\$4,815	\$290,375.00
TOTAL SPECIAL DISTRICT	\$3,004,205.49	\$1,677,885	\$1,326,320.49
GRAND TOTALS	\$6,081,635.49	\$4,530,356	\$1,551,279.49

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EVANS FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$3,435,689.00	\$1,296,835.00	\$2,138,854.00
GENERAL FUND-TOWN ONLY	\$3,224,462.00	\$2,127,434.00	\$1,097,028.00
HIGHWAY FUNDS - TOWN ONLY	\$1,915,314.00	\$531,934.00	1,383,380.00
DEBT SERVICE	\$528,985.00	\$528,985.00	\$0.00
COMMUNITY DEVELOPMENT	\$100,000.00	\$100,000.00	\$0.00
RISK RETEN/INS RESERVE	\$350,000.00	\$350,000.00	\$0.00
HIGHWAY FUNDS - TOWNWIDE	\$10,000.00	\$700.00	\$9,300.00
TOTAL TOWN & HIGHWAY	\$9,564,450.00	\$4,935,888.00	\$4,628,562.00
REFUSE & GARBAGE COLLECTION	\$925,643.50	\$92,289.00	\$833,354.50
STREET LIGHTING	\$282,026.00	\$33,995.00	\$248,031.00
FIRE PROTECTION	\$741,220.00	\$15,475.00	\$725,745.00
HYDRANT	\$5,200.00	\$10.00	\$5,190.00
WATER DISTRICTS	\$2,266,524.00	\$2,139,450.00	\$127,074.00
DEMOLITION	\$17,161.00	\$0	\$17,161.00
PREMIUM ASSMNT	\$700.00	\$0	\$700.00
FIRE DISTRICTS	\$487,350.00	\$22,450.00	\$464,900.00
DELINQUENT WATER	\$226,294.90	\$0	\$226,294.90
OMITTED TAX	\$2,604.19	\$0	\$2,604.19
EDEN WATER DIST	\$964.81	\$0	\$964.81
TOTAL SPEC DIST	\$4,955,688.40	\$2,303,669.00	\$2,652,019.40
GRAND TOTALS	14,520,138.40	\$7,239,557.00	\$7,280,581.40

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GRAND ISLAND FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$5,381,287.00	\$3,734,195	\$1,647,092.00
HIGHWAY FUNDS	\$2,116,965.00	\$382,865	\$1,734,100.00
DEBT SERVICE	\$1,159,835.00	\$1,159,835	\$0.00
TOTAL TOWN & HIGHWAY	\$8,658,087.00	\$5,276,895	\$3,381,192.00
WATER DISTRICTS	\$2,544,842.00	\$1,830,704	\$714,138.00
FIRE PROTECTION DIST.	\$813,749.00	\$10,308	\$803,441.00
GARBAGE	\$848,862.00	\$1,886	\$846,976.00
LIGHTING DISTRICTS	\$180,809.00	\$8,818	\$171,991.00
SEWER DISTRICTS	\$2,471,032.00	\$2,154,881	\$316,151.00
DELINQUENT	\$442,864.00	\$0	\$442,864.00
OMITTED TAX	\$0	\$0	\$0
MISCELLANEOUS	\$1,286.00	\$0	\$1,286.00
TOTAL SPECIAL DISTRICT	\$7,303,444.00	\$4,006,597	\$3,296,847.00
GRAND TOTALS	\$15,961,531.00	\$9,283,492	\$6,678,039.00

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HAMBURG FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$12,714,902.00	\$4,846,902	\$7,868,000.00
GENERAL FUND-TOWN ONLY	\$9,231,642.00	\$6,071,642	\$3,160,000.00
HIGHWAY FUNDS - TOWN ONLY	\$4,215,154.00	\$318,154	\$3,897,000.00
HIGHWAY FUNDS TOWNWIDE	\$14,000.00	\$6,000	\$8,000.00
GOLF COURSE	\$651,354.00	\$651,354	\$0
DEBT SERVICE	\$2,662,899.00	\$2,662,899	\$0
COMMUNITY DEVELOPMENT	\$707,729.00	\$707,729	\$0
INSURANCE RESERVE	\$1,195,000.00	\$1,195,000	\$0
SUNDANCE PARK	\$0	\$0	\$0
TOTAL TOWN & HIGHWAY	\$31,392,680.00	\$16,459,680	\$14,933,000.00
LIBRARY DEBT SERVICE	\$0	\$0	\$0
STREET LIGHTING	\$787,150.00	\$183,150	\$604,000.00
TOWN HYDRANT	\$304,500.00	\$24,500	\$280,000.00
FIRE PROTECTION	\$2,864,406.00	\$105,006	\$2,759,400.00
SEWER DISTRICTS	\$4,187,909.00	\$863,960	\$3,323,949.00
WATER DISTRICTS	\$1,421,985.00	\$92,885	\$1,329,100.00
RAVENWOOD DRAINAGE	\$12,902.00	\$1,402	\$11,500.00
RAVENWOOD RD IMP	\$70,125.00	\$2,125	\$68,000.00
DELINQUENT WATER	\$11,662.09	\$0	\$11,662.09
UNPAID SEWER	\$336.00	\$0	\$336.00
REMOVALS	\$863.20	\$0	\$863.20
OMITTED TAX	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$9,661,838.29	\$1,273,028	\$8,388,810.29
LAKE VIEW FIRE DISTRICT	\$623,500.00	\$105,000	\$518,500.00
GRAND TOTALS	\$41,678,018.29	\$17,837,708	\$23,840,310.29

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HOLLAND FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$729,205.00	\$610,196	\$119,009.00
HIGHWAY FUNDS	\$678,158.00	\$194,907	\$483,251.00
TOTAL TOWN & HIGHWAY	\$1,407,363.00	\$805,103	\$602,260.00
WATER DISTRICT	\$177,555.00	\$177,555	\$0
HOLLAND FIRE DISTRICT	\$271,666.00	\$1,600	\$270,066.00
JAVA SHELDON HOLLAND FIRE PROT DIST	\$3,580.00	\$0	\$3,580.00
DELINQUENT SEWER	\$90.90	\$0	\$90.90
DELINQUENT WATER	\$12,300.56	\$0	\$12,300.56
LIGHTING DISTRICTS	\$18,000.00	\$0	\$18,000.00
OMITTED TAX	\$0	\$0	\$0
ARGIC PENALTY	\$0	\$0	\$0
GARBAGE DIST	\$148,567.00	\$5,000	\$143,567.00
TOTAL SPECIAL DISTRICT	\$631,759.46	184,155	\$447,604.46
GRAND TOTALS	\$2,039,122.46	\$989,258	\$1,049,864.46

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LANCASTER FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$7,145,282.00	\$2,574,140	\$4,571,142.00
GENERAL FUND-TOWN ONLY	\$682,070.00	\$682,070	\$0
HIGHWAY TOWNWIDE	\$68,321.00	\$17,050	\$51,271.00
HIGHWAY PART TOWN	\$2,709,798.00	\$1,840,000	\$869,798.00
POLICE FUND	\$6,625,367.00	\$2,861,642	\$3,763,725.00
MISC SPEC REVENUE	\$232,100.00	\$232,100	\$0
TOTAL TOWN & HIGHWAY	\$17,462,938.00	\$8,207,002	\$9,255,936.00
GARBAGE DIST	\$1,995,000.00	\$25,000	\$1,970,000.00
LIGHTING DISTRICT	\$255,017.00	\$22,500	\$232,517.00
FIRE PROTECTION	\$2,918,666.00	\$12,500	\$2,906,166.00
SEWER DISTRICTS	\$200,508.00	\$0	\$200,508.00
WATER DISTRICTS	\$270,143.00	\$8,500	\$261,643.00
GRASS CUTTING	\$1,250.00	\$0	\$1,250.00
DEL OOFD SWR CHG	\$1,209.60	\$0	\$1,209.60
DEL PIPE INSTALL	\$112.80	\$0	\$112.80
DELINQ WTR ECWA	\$4,433.23	\$0	\$4,433.23
TOTAL SPEC DIST	\$5,646,339.63	\$68,500	\$5,577,839.63
GRAND TOTALS	\$23,109,277.63	\$8,275,502	\$14,833,775.63

MEETING NO. 26
December 2, 2004

ERIE COUNTY LEGISLATURE

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

MARILLA
FOR THE YEAR 2005

APPROPRIATION ESTIMATED TAX LEVY
REVENUES

GENERAL FUND TOWNWIDE	\$749,100.00	\$749,100.00	\$0.00
HIGHWAY FUNDS	\$398,400.00	\$290,400.00	\$108,000.00
COMMUNITY DEVELOP	\$100.00	\$100.00	\$0
TOTAL TOWN & HIGHWAY	\$1,147,600.00	\$1,039,600.00	\$108,000.00
WATER DISTRICT	\$442,058.00	\$14,833.00	\$427,225.00
FIRE DISTRICT	\$282,075.00	\$100.00	\$281,975.00
REMOVALS	\$6,642.12	\$0	\$6,642.12
SANITATION	\$316,317.00	\$54,017.00	\$262,300.00
DELINQUENT WATER	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$1,047,092.12	\$68,950.00	\$978,142.12
GRAND TOTALS	\$2,194,692.12	\$1,108,550.00	\$1,086,142.12

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ERIE COUNTY LEGISLATURE

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

NEWSTEAD FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$1,432,970.00	\$780,600	\$652,370.00
GENERAL FUND-TOWN ONLY	\$117,393.00	\$117,393	\$0
HIGHWAY FUND TOWNWIDE	\$4,039.00	\$100	\$3,939.00
HIGHWAY FUND-TOWN ONLY	\$735,191.00	\$735,191	\$0
TOTAL TOWN & HIGHWAY	\$2,289,593.00	\$1,633,284	\$656,309.00
WATER DIST CAP & O M	\$651,159.00	\$65,344	\$585,815.00
DEMOLOLITION	\$26,000.00	\$0	\$26,000.00
REFUSE/GARBAGE	\$263,016.00	\$14,241	\$248,775.00
FIRE PROTECTION DIST.	\$387,543.00	\$300	\$387,243.00
DELINQUENT WATER	\$2,779.65	\$0	\$2,779.65
DELINQUENT REFUSE	\$262.26	\$0	\$262.26
DELINQUENT ECWA WTR	\$10.17	\$0	\$10.17
SEWER DISTRICT	\$34,700.00	\$34,700	\$0
TOTAL SPECIAL DISTRICT	\$1,365,470.08	\$114,585	\$1,250,885.08
GRAND TOTALS	\$3,655,063.08	\$1,747,869	\$1,907,194.08

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ERIE COUNTY LEGISLATURE

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

ORCHARD PARK FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$9,552,179.00	\$5,709,018	\$3,843,161.00
GENERAL FUND-TOWN ONLY	\$482,261.00	\$482,261.00	\$0
HIGHWAY FUNDS	\$3,035,594.00	\$472,000	\$2,563,594.00
GENERAL SPEC ASSESSMENTS	\$72,602.00	\$0	\$72,602.00
HIGHWAY - BRIDGES	\$0	\$0	\$0
DEBT SERVICE FUND	\$1,217,351.00	\$1,217,351	\$0
TOTAL TOWN & HIGHWAY	\$14,359,987.00	\$7,880,630.00	\$6,479,357.00
CONSOLIDATE GARBAGE	\$1,526,494.00	\$100,500.00	\$1,425,994.00
GENERAL LIGHTING	\$305,991.00	\$15,000.00	\$290,991.00
FIRE DISTRICT #1	\$1,521,720.00	\$46,270.00	\$1,475,450.00
HYDRANT DISTRICTS	\$10,520.00	\$0	\$10,520.00
WATER DISTRICTS	\$1,187,399.00	\$260,190.00	\$927,209.00
DELINQ OP WATER	\$22,070.98	\$0	\$22,070.98
LOT CLEARING	\$0	\$0	\$0
DELINQ EC WATER	\$3,006.35	\$0	\$3,006.35
UNPAID REFUSE	\$3,414.90	\$0	\$3,414.90
OMITTED TAX	\$0	\$0	\$0
DEL TOWN CHARGES	\$16,867.00	\$0	\$16,867.00
SANITARY SEWER	\$821,157.00	\$182,013.00	\$639,144.00
PRO RATED GARBAGE	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$5,418,640.23	\$603,973.00	\$4,814,667.23
GRAND TOTALS	\$19,778,627.23	\$8,484,603.00	\$11,294,024.23

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ERIE COUNTY LEGISLATURE

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

TONAWANDA APPROPRIATION ESTIMATED TAX LEVY
FOR THE YEAR 2005 REVENUES

GENERAL FUND TOWNWIDE	\$24,841,179.00	\$14,139,175	\$10,702,004.00
GENERAL FUND-TOWN ONLY	\$15,577,257.00	\$9,577,575	\$5,999,682.00
HIGHWAY FUNDS - TOWN ONLY	\$6,299,241.00	\$2,500,229	\$3,799,012.00
TOTAL TOWN & HIGHWAY	\$46,717,677.00	\$26,216,979	\$20,500,698.00
WATER ACQUISITION	\$7,388,045.00	\$7,388,045	\$0.00
WATER CONSOLIDATION DST	\$0	\$0	\$0
FIRE PROTECTION DIST.	\$593,729.00	\$25,000	\$568,729.00
REFUSE & GARBAGE COLLECTION	\$5,962,028.00	\$399,500	\$5,562,528.00
LIGHTING DISTRICTS	\$1,512,683.00	\$470,000	\$1,042,683.00
SEWER DISTRICTS	\$11,623,585.00	\$7,197,100	\$4,426,485.00
DRAINAGE CONSOLID	\$408,099.00	\$80,000	\$328,099.00
TOTAL SPECIAL DISTRICT	\$27,488,169.00	\$15,559,645	\$11,928,524.00
HIGHWAY PAVING	\$20,615.00	\$0	\$20,615.00
SEWER CONSOLIDATION DST	\$0	\$0	\$0
DRAINAGE CONSOLIDATION	\$6,135.00	\$0	\$6,135.00
CLEANUP - TOWN ONLY	\$2,126.24	\$0	\$2,126.24
DELINQUENT WATER	\$398,044.90	\$0	\$398,044.90
OMITTED TAX	\$4,818.30	\$0	\$4,818.30
FIRE DISTRICTS	\$2,273,966.75	\$0	\$2,273,966.75
TOTAL SPECIAL ASSESS	\$2,705,706.19	\$0	\$2,705,706.19
GRAND TOTALS	\$76,911,552.19	\$41,776,624	\$35,134,928.19

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ERIE COUNTY LEGISLATURE

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

WALES
FOR THE YEAR 2005

APPROPRIATION

ESTIMATED
REVENUES

TAX LEVY

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$526,831.00	\$497,118	\$29,713.00
HIGHWAY FUNDS	\$305,872.00	\$199,200	\$106,672.00
TOTAL TOWN & HIGHWAY	\$832,703.00	\$696,318	\$136,385.00
FIRE PROTECTION	\$119,327.00	\$1,500	\$117,827.00
AURORA WALES FIRE DST	\$77,803.91	\$0	\$77,803.91
LIGHT DISTRICT #1	\$9,460.00	\$950	\$8,510.00
LIGHT DISTRICT #2	\$0	\$0	\$0
OMITTED TAX	\$0	\$0	\$0
AGRIC PENALTY	\$0	\$0	\$0
REFUSE DISTRICT	\$162,532.00	\$0	\$162,532.00
TOTAL SPECIAL DISTRICT	\$369,122.91	\$2,450	\$366,672.91
GRAND TOTALS	\$1,201,825.91	\$698,768	\$503,057.91

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ERIE COUNTY LEGISLATURE

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

WEST SENECA FOR THE YEAR 2005	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$19,422,182.00	\$8,818,000	\$10,604,182.00
HIGHWAY FUNDS	\$7,680,625.00	\$1,171,224	\$6,509,401.00
HIGHWAY BRIDGES	\$9,000.00	\$0	\$9,000.00
TOTAL TOWN & HIGHWAY	\$27,111,807.00	\$9,989,224	\$17,122,583.00
WATER DISTRICTS	\$226,330.00	\$35,897	\$190,433.00
FIRE DISTRICTS	\$2,792,060.00	\$0	\$2,792,060.00
GAS LIGHT DIST.	\$106,523.00	\$7,900	\$98,623.00
PREMIUM ASSMNT	\$20,834.46	\$0	\$20,834.46
ELEC LIGHT DIST	\$78,104.00	(\$640)	\$78,744.00
GRASS & WEED CUT	\$0	\$0	\$0
SEWER DISTRICTS	\$7,171,222.00	\$2,181,931	\$4,989,291.00
DRAINAGE DIST	\$7,063.00	\$0	\$7,063.00
SPECIAL ASSMNT	\$203,671.00	\$0	\$203,671.00
ASSTS RECEIVABLE	\$1,100.00	\$0	\$1,100.00
DELINQUENT WATER	\$952.38	\$0	\$952.38
OMITTED TAX	\$5,631.05	\$0	\$5,631.05
TOTAL SPECIAL DISTRICT	\$10,613,490.89	\$2,225,088	\$8,388,402.89
GRAND TOTALS	\$37,725,297.89	\$12,214,312	\$25,510,985.89

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MS. MARINELLI moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 49 – (Comm. 26E-14) Health – Budgetary Adjustments.

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 50 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 516

Re: Section 520 Exemption for 2005.
 (Comm. 26E-15)

BE IT RESOLVED, that the Erie County Director of Budget, Management and Finance and/or successor to Commissioner of Finance is directed to spread the amount of taxes, as indicated on the attached schedule, upon the tax rolls of the several municipalities in Erie County, being taxes due from the exemption removal on properties transferred during the past year, pursuant to Section 520 of the Real Property Tax Law, and be it further

RESOLVED, that certified copies of this resolution shall be sent to the County Executive, the Director of Budget, Management and Finance, the Erie County Comptroller, the County Attorney and the Finance Office.

520 EXEMPTION REMOVAL FOR 2005 COUNTY TAX

<u>TOWN</u>	<u>520 COUNTY EXEM. REMOVAL</u>	<u>520 TOWN EXEM. REMOVAL</u>	<u>520 SCHOOL EXEM. REMOVAL</u>
ALDEN	\$ 11,596.82	\$ 4,263.94	\$ 4,387.28
AMHERST	76,552.89	88,893.29	71,110.38
AURORA	11,270.78	4,694.97	15,231.23
BRANT	304.68	222.85	0.00
CHEEKTOWAGA	73,329.64	113,130.68	85,951.20
CLARENCE	18,055.02	7,578.17	16,318.22
COLDEN	145.94	66.86	0.00
COLLINS	1,815.57	693.95	868.67
CONCORD	960.83	268.36	1,426.92
EDEN	137.15	123.87	0.00
ELMA	7,396.34	352.90	4,524.79
EVANS	5,955.60	6,762.53	1,814.27
GRAND ISLAND	15,572.32	10,348.82	6,778.10
HAMBURG	26,807.05	23,180.30	8,447.77
HOLLAND	2,682.44	1,436.09	1,107.84
LANCASTER	22,560.00	20,862.40	14,075.41

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NEWSTEAD	3,128.27	1,030.30	2,731.72
NORTH COLLINS	116.26	82.70	0.00
ORCHARD PARK	16,104.28	10,929.43	7,381.14
TONAWANDA	68,867.24	61,915.42	39,671.02
WALES	480.95	54.72	867.38
WEST SENECA	15,667.72	29,681.27	11,664.38
CITY OF BUFFALO	260,087.66	0.00	0.00
CITY-LACKAWANNA	26,036.51	0.00	0.00
CITY-TONAWANDA	14,110.23	32,083.40	9,093.58
TOTAL	\$ 679,742.19	\$418,657.22	\$303,451.30

GRAND TOTAL OF TOWN, COUNTY, AND SCHOOL \$1,401,850.71

MS. MARINELLI moved the approval of the resolution. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 51 – (Comm. 26E-16) Preparation of School District Tax Rolls & Bills.

RECEIVED, FILED & PRINTED.

TO THE ERIE COUNTY LEGISLATURE: 2004-2005

STATEMENT, MATERIALS AND LABOR IN PRODUCING SCHOOL DISTRICT TAX BILLS AND THE SPREADING OF ASSOCIATED COSTS:

School District Costs 2004

Tax Bills	\$ 9,500.00
Tax Roll Paper	700.00
Data Processing Charges	24,997.02
Wages	30,783.90

Total \$ 65,980.92

268,436 PARCELS →→ 0.24579758 Cost per parcel

AKC1 Out of County	\$ 50.00
City of Tonawanda	50.00
ATT1 and SCC1 Flat Charge @ \$50.00 each	100.00

Total to Spread: Cost per parcel and Flat Charge **\$ 66,180.92**

<u>School District</u>	<u>Parcels</u>	<u>Rate</u>	<u>Amount Due</u>
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ERIE COUNTY LEGISLATURE

ALDEN CENTRAL SCHOOL DISTRICT #1	5010	0.24579758	\$ 1,231.45
AKRON CENTRAL SCHOOL DISTRICT	4415	0.24579758	1,135.20
AMHERST CENTRAL SCHOOL DISTRICT	9130	0.24579758	2,244.13
SWEET HOME CENTRAL SCHOOL DISTRICT	10875	0.24579758	2,673.05
ATTICA CENTRAL SCHOOL DISTRICT	0	0	50.00
EAST AURORA UNION FREE DIST #1	6280	0.24579758	1,543.61
CHEEKTOWAGA CENTRAL SCHOOL DIST #1	8165	0.24579758	2,006.94
UNION FREE SCHOOL DIST #2 (MARYVALE)	7439	0.24579758	1,828.49
UNION FREE SCHOOL DIST #3 (CLEV-HILL)	4598	0.24579758	1,130.18
UNION FREE SCHOOL DIST #9 (SLOAN)	5172	0.24579758	1,271.27
CLARENCE CENTRAL SCHOOL DISTRICT	10673	0.24579758	2,623.40
SPRINGVILLE-GRIFFITH INSTITUTE	6463	0.24579758	1,588.59
DEPEW UNION FREE SCHOOL DISTRICT	6821	0.24579758	1,676.59
EDEN CENTRAL SCHOOL DISTRICT #1	4779	0.24579758	1,174.67
FRONTIER CENTRAL SCHOOL DIST #4	16256	0.24579758	3,995.69
GRAND ISLAND CENTRAL SCHOOL DIST	8524	0.24579758	2,095.18
GOWANDA CENTRAL SCHOOL DISTRICT	1404	0.24579758	345.10
HAMBURG CENTRAL SCHOOL DISTRICT	9994	0.24579758	2,456.50
HOLLAND CENTRAL SCHOOL DISTRICT	3395	0.24579758	834.48
IROQUOIS CENTRAL SCHOOL DISTRICT #1	7657	0.24579758	1,882.07
LACKAWANNA CENTRAL SCHOOL DIST	6891	0.24579758	1,693.79
LANCASTER CENTRAL SCHOOL DIST #1	16440	0.24579758	4,040.91
LAKE SHORE CENT. EVANS-BRANT SCHOOLS	10359	0.24579758	2,546.22

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NORTH COLLINS CENTRAL SCHOOL DIST #1	2460	0.24579758	604.66
ORCHARD PARK CENTRAL SCHOOL #1	13099	0.24579758	3,219.70
PIONEER CENTRAL SCHOOL DISTRICT	894	0.24579758	219.74
SILVER CREEK CENTRAL SCHOOL DIST #1	0	0	50.00
KENMORE-TONAWANDA UNION FREE SCHOOL 26501		0.24579758	6,513.88
WILLIAMSVILLE CENTRAL SCHOOL DIST	26758	0.24579758	6,577.05
WEST SENECA CENTRAL SCHOOL DISTRICT	21501	0.24579758	5,284.89
CITY OF TONAWANDA	6483	0.24579758	1,643.51
TOTAL			\$ 66,180.92

Item 52 – (Comm. 26E-17) Preparation of City of Tonawanda Tax Rolls & Bills.

RECEIVED, FILED & PRINTED.

TO HONORABLE ERIE COUNTY LEGISLATURE

PREPARATION OF CITY OF TONAWANDA TAXES 2004

Tax Bills	\$ 300.00
Tax Rolls, Assessment Roll and Worksheets	275.00
Wages	1,746.75
Data Processing Time	1,541.25

Total Cost \$ 3,863.00

Parcels 6891 Cost per parcel 0.560586

Item 53 – (Comm. 26E-18) Preparation of City of Lackawanna Tax Rolls & Bills.

RECEIVED, FILED & PRINTED.

TO HONORABLE ERIE COUNTY LEGISLATURE

PREPARATION OF LACKAWANNA CITY TAXES 2004

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ERIE COUNTY LEGISLATURE

Tax Bills	\$ 300.00
Tax Rolls, Assessment Roll and Worksheets	275.00
Wages	2,624.24
Data Processing Time	1,703.60

Total Cost \$ 4,902.83

Parcels 6938 Cost per parcel 0.706663

Item 54 – (Comm. 26E-19) Preparation of Village Tax Rolls & Bills.

RECEIVED, FILED & PRINTED.

TO: HONORABLE ERIE COUNTY LEGISLATURE

PREPARATION OF VILLAGE TAXES 2004

Tax Bills	\$ 3,100.00
Tax Roll, Assessment Roll, and Worksheets	1,700.00
Wages	4,309.99
Data Processing Time	6,175.74

TOTAL COST \$ 15,285.73

Cost per Parcel=> 0.430124

<u>VILLAGE</u>	<u>PARCEL COUNT</u>	<u>RATE</u>	<u>COST</u>
Akron	1,164	0.430124	\$ 500.66
Alden	877	0.430124	377.22
Angola	952	0.430124	409.48
Blasdell	1,171	0.430124	503.67
Depew	6,647	0.430124	2,859.03
East Aurora	2,599	0.430124	1,117.89
Farnham	216	0.430124	92.91
Gowanda	1,207	0.430124	519.16
Hamburg	3,663	0.430124	1,575.54
Kenmore	5,680	0.430124	2,443.10
Lancaster	4,328	0.430124	1,861.57
North Collins	535	0.430124	230.12
Orchard Park	1,178	0.430124	506.69
Sloan	1,600	0.430124	688.20
Springville	1,615	0.430124	694.65
Williamsville	2,106	0.430124	905.84

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ERIE COUNTY LEGISLATURE

TOTAL 35,538 \$ 15,285.73

Item 55 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 517

Re: Implementation of Regional
 Economic Development Database.
 (Comm. 26E-20)

WHEREAS, the Institute for Local Governance and Regional Growth at the University at Buffalo has requested \$13,300 to operate the regional economic development database; and

WHEREAS, the County of Erie has previously funded the Institute for Local Governance and Regional Growth for portions of the development and pilot project of the regional economic development database; and

WHEREAS, the County of Erie and the Buffalo Niagara Enterprise use the regional economic development database to assist in attracting companies, investment and jobs to the area by providing information in a timely manner to company representatives and/or site selectors,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the Institute for Local Governance and Regional Growth at the University at Buffalo for ongoing implementation of the regional economic development database; and be it further

RESOLVED, that funds in the amount of \$13,300 are hereby transferred from the Economic Development/Tourism Fund that was re-appropriated in Cost Center 1335010 to Cost Center 1331010, Economic Development to be further designated as Operation of the Regional Economic Development Database; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget, Management and Finance; the Commissioner of the Department of Environment and Planning; and the County Comptroller.

MR. WEINSTEIN moved the approval of the resolution. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 56 – (Comm. 26E-21) Health -Public Health Preparedness Laboratory – Response Network 9/1/03 – 8/30/04 – Project #913.

Received and referred to the HUMAN SERVICES COMMITTEE.

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ERIE COUNTY LEGISLATURE

Item 57 – (Comm. 26E-22) Notice of Adoption -ECSD – 2005 Assessment Rolls.

Item 58 – (Comm. 26E-23) EC/Southtowns Sewage Treatment Agency – Southtowns Sand Filter Project – Contract No. 1ST-G Change Order No. 1 CO Falter Construction.

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 59 – MR. RANZENHOFER moved to reconsider item #46 (Comm. 26E-11). MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MR. RANZENHOFER moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 518

Re: DPW – Supplemental Agreement
 with NYSDOT – Glen Avenue Bridges
 702 & 704 Over Ellicott Creek &
 Diversion Channel, Village of
 Williamsville.

WHEREAS, a Project for the Replacement of the Glen Avenue Bridges (BR 702 and 704) over Ellicott Creek and a Diversion Channel, BINs 3-32886-0 and 3-32885-0, including the Pedestrian Bridge over Ellicott Creek, BIN 2-26391-0, in the Village of Williamsville, PIN 5755.26 (the “Project”) funded under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of non-Federal share of the costs of the Construction and Construction Inspection Phase of the Project, PIN 5755.26,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Legislature of the County of Erie hereby approves the above subject Project, and be it further,

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Construction and Construction Inspection Phase or portions thereof, and be it further,

RESOLVED, that the total phase budget is \$1,820,000 and the local share sum of \$364,000 is hereby appropriated from the Glen Avenue Bridges 5755.26 Reconstruction Program (SAP

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B.00135) and made available to cover the cost of participation in the above phase of the Project, and be it further,

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the Project's Construction and Construction Inspection Phase exceeds the amount appropriated above, \$364,000 and/or 100% of the full Federal and non-Federal shares of the cost of the Construction and Construction Inspection Phase exceeds \$1,820,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further,

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it further,

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project, and be it further,

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and one copy each to the County Executive, the Commissioner of Public Works, the Budget Director, and the Erie County Comptroller.

MR. RANZENHOFER moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 60 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 519

Re: Downtown Pedestrian/Transit Mall
 Special District Adoption of Mall
 District Service Charge Roll for 2005.
 (Comm. 26E-24)

WHEREAS, after a public hearing, held on September 21, 2004 by Buffalo Place Inc., and upon adoption of Intro 22-1, October 21, 2004, the Erie County Legislature determined that the total amount to be raised by mall district service charges for 2005 for the downtown pedestrian/transit mall special district shall be the sum of \$ 1,212,293.05, and

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WHEREAS, the 2005 Mall District Budget requires that the amount to be raised by Mall District payments in lieu for 2005 for the downtown pedestrian/transit mall special district shall be the sum of \$ 18,000.00, and

WHEREAS, the Director of Budget, Management and Finance has established the 2005 mall district service charge and payment in lieu roll apportioning the amount to be raised and has transmitted such roll to the Erie County Legislature for adoption.

NOW THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby adopt the mall district service charge and payment in lieu roll established by the Director of Budget, Management and Finance for the purpose of assessing 2005 service charges for the downtown pedestrian/transit mall special district, and be it further

RESOLVED, that 2005 mall district service charges and payment in lieu shall be assessed, due and a lien on benefited properties within the downtown pedestrian/transit mall special district on and as of January 1, 2005 and shall be payable to the Director of Budget, Management and Finance as provided in Erie County Local Law No. 8-1984, and be it further

RESOLVED, that late fees shall be collected on payments made after the dates provided in Erie County Local Law No. 8-1984, and an interest budget line of \$ 10,000.00 shall be added to the Mall Budget for collection of these late fees, and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to make adjustments and modifications as he deems appropriate, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Erie County Executive, Joel A. Giambra, the Erie County Budget Director Joseph Passafiume, Erie County Attorney Frederick A. Wolf, Erie County Comptroller Nancy Naples and the Director of Real Property Tax Services, Joseph L. Maciejewski.

MS. MARINELLI moved the approval of the resolution. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 61 – (Comm. 26D-1) Notice of Trustees Meeting Held 11/18/04 & Minutes from 10/21/04 Meeting.

Received and filed.

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FROM ECC

Item 62 – (Comm. 26D-2) Board of Trustees Meeting Agenda for Meeting Held 11/17/04.

Received and filed.

FROM DPW

Item 63 – (Comm. 26D-3) Complaint Distribution Response Form Re: Tree Located on County Property Causing Property Damage in Angola.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 64 – (Comm. 26D-4) Notice of Public Hearing for LL Intro. No. 12-2004.

RECEIVED, FILED & PRINTED.

November 19, 2004

VIA HAND DELIVERY

Kevin M. Kelley, Clerk
Erie County Legislature
92 Franklin Street, 4th floor
Buffalo, New York 14202

RE: Notice of Public Hearing
Local Law Intro. No. 12-2004

Dear Mr. Kelley:

Enclosed herein is a copy of the Public Hearing Notice for the above-captioned Local Law Intro., which was approved by the Erie County Legislature on November 18, 2004.

Please post the enclosed for the information for anyone who may be interested in attending this hearing.

Very truly yours,

MELISSA O. HEIMERL
Assistant County Attorney

encl.

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NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing, on Friday, December 3, 2004 at 10:00 a.m., concerning:

A LOCAL LAW in relation to support of the Buffalo and Erie County Public Library.

The hearing will be held at the Erie County Executive's office, 95 Franklin Street, 16th Floor, in the City of Buffalo, New York.

On November 18, 2004, the Erie County Legislature adopted Erie County Local Law Intro. No. 12 of 2004 (Print #2). Copies of the proposed local law are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 4th Floor of 92 Franklin Street, in the City of Buffalo, New York.

JOEL A. GIAMBRA
 Erie County Executive

FROM THE COUNTY ATTORNEY

Item 65 – (Comm. 26D-5) Letter to Chairman Holt Re: Legality of Amendment to Comm. 22E-26.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE

FROM ECC

Item 66 – (Comm. 26D-6) Minutes of Trustees Meeting Held 10/26/04.

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE FRANCISCAN CENTER

Item 67 – (Comm. 26M-1) Copy of Letter to Legislators Re: Human Services Public Benefit Funding.

Received and referred to the HUMAN SERVICES COMMITTEE.

FROM NFTA

Item 68 – (Comm. 26M-2) 17A Report & Capital Expenditure Reports for 2nd Quarter of Fiscal Year Ending 3/31/05.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE TOWN OF AURORA

Item 69 – (Comm. 26M-3) Certified Resolution Re: Authorization of Agreement with Erie County for Town's Sanitary Sewer System.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM EC HOME HEALTH CARE ADVISORY BOARD CHAIR

Item 70 – (Comm. 26M-4) Letter to Holt Re: Board Appointment Needs.

Received and filed.

FROM THE NYS COMPTROLLER

Item 71 – (Comm. 26M-5) Report of Examination for Sale of ECMC.

Item 72 – (Comm. 26M-6) Letter to Legislator DeBenedetti Re: Comm.19E-29.

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM NFTA

Item 73 – (Comm. 26M-7) Board Minutes for Trustees Meeting Held 10/25/04.

Received and filed.

FROM THE WESTERN ERIE CANAL CORRIDOR
PLANNING COMMISSION

Item 74 – (Comm. 26M-8) Western Erie Canal Heritage Corridor Management Plan.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

MEMORIAL RESOLUTIONS

Item 75 – Mr. Smith requested that when the Legislature adjourns, it do so in memory of Geraldine Ford.

Item 76 – Mr. Smith requested that when the Legislature adjourns, it do so in memory of Russell Jones.

Item 77 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Jean Bilger.

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Item 78 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Judy Winter.

Item 79 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Daniel Trawinski.

Item 80 – Mr. Schroeder requested that when the Legislature adjourns, it do so in memory of William Lee.

Item 81 – Mr. Dusza requested that when the Legislature adjourns, it do so in memory of Conrad Guacewski.

Item 82 – Mr. Dusza requested that when the Legislature adjourns, it do so in memory of Lorraine Zielinski.

ADJOURNMENT

Item 83 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. MARINELLI moved that the Legislature adjourn until 2 p.m. Tuesday, December 7, 2004. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Tuesday, December 7, 2004 at 2 p.m. Eastern Standard Time.

KEVIN M. KELLEY
CLERK